

NOV 01 2005

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**FACSIMILE TRANSMITTAL SHEET**

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**TO:** Examiner Alvin J. Stewart

**FIRM/COMPANY:** Commissioner for Patents, Group Art Unit 3764

**FACSIMILE NUMBER:** 571 273-8300

**CONFIRMATION  
TELEPHONE:**

**FROM:** Ruth Der, Paralegal

**DIRECT DIAL:** 415.371.2231

**DATE:** November 1, 2005

**USER NUMBER:**

**FILE NUMBER:** Atty Docket No. R0395-00900, Serial No. 10/791,916

**TOTAL # OF PAGES:** 5  
(INCLUDING COVERSHEET)

**MESSAGE:** Attached are *Supplemental Information Disclosure Statement* and *Form PTO-1449*.

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
Sharkey et al.

Examiner: Alvin J. Stewart

Group Art Unit: 3764

For: INFLATABLE VENTRICULAR  
PARTITIONING DEVICE

Serial No.: 10/791,916

TRANSMITTAL

Filed: March 3, 2004

Atty. Docket No.: R0395-00900

## CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-8300, Attn: Alvin J. Stewart, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 1, 2005, in San Francisco, CA.

By: 

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are

X Supplemental Information Disclosure Statement; and  
X Form PTO-1449.

2. Payment of Fees

X There are no fees due with this communication. The Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0395-00900. A duplicate copy of this transmittal is enclosed for this purpose.

Respectfully submitted,

By: 

Edward J. Lynch  
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By: [Signature]

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Commissioner for Patents  
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Edward J. Lynch  
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Attorney for Applicants

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PATENT

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In re the application of  
Sharkey et al.

For: **INFLATABLE VENTRICULAR  
PARTITIONING DEVICE**

Serial No.: 10/791,916

Filed: March 3, 2004

Atty. Docket No.: R0395-00900

) Examiner: Alvin J. Stewart

) Group Art Unit: 3764

) **SUPPLEMENTAL INFORMATION**  
) **DISCLOSURE STATEMENT**

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.8**

I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-8300, Attn: Examiner Alvin J. Stewart, Mail Stop  
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 1, 2005, in San Francisco, CA.  
By: [Signature]

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to bring to the attention of the Patent Office the references listed on the attached PTO-1449 form and request that they be considered by the Examiner.

This request is being submitted under 37 C.F.R. §1.97(b)(3), therefore no fee is due: However, the Commissioner is authorized to charge any deficiencies in fees due and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0395-00900.

Respectfully submitted,

By: [Signature]

Edward J. Lynch  
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11/01/2005 12:55 FAX 4153712201

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<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> UNDER 37 CFR §1.56, §1.97, and §1.98  <b>PTO-1449 FORM</b>  SHEET 1 of 1	ATTORNEY DOCKET NO.:  R0395-00900	SERIAL NO.:  10/791,916
	APPLICANTS:  Sharkey et al.	EXAMINER:  Alvin J. Stewart
	FILING DATE:  March 3, 2004	GROUP ART UNIT:  3764

**U.S. PATENT DOCUMENTS**

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (if appropriate)
	A87	6,406,420	6/02	McCarthy et al.		
	A88	6,652,555	11/03	VanTassel et al.		
	A89	US 2002/0028092	2/02	Buckberg et al.		

**FOREIGN PATENT DOCUMENTS**

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	COUNTRY	TRANSLATION (YES/NO)

**OTHER DOCUMENTS**

† EX'R INITIAL	*REF. #	Document Description (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER'S SIGNATURE	DATE CONSIDERED
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† EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609.  
Line through citation if not in conformance and not considered.  
Include copy of this form in next communication to applicant.

\* If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120, 37 C.F.R. 1.98(d).